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12 Attorneys for United States of America

13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

15 OAKLAND DIVISION

16 UNITED STATES OF AMERICA,) NO. 4:21-mj-71411-MAG-3
17 Plaintiff,)
18 v.) STIPULATION AND ORDER (AS MODIFIED)
19 JOSE MIGUEL ROBLES,) CONTINUING STATUS CONFERENCE AND
20 Defendant.) EXCLUDING TIME UNDER THE SPEEDY
21) TRIAL ACT AND FEDERAL RULE OF
22) CRIMINAL PROCEDURE 5.1(c) AND (d)
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29 A status conference in the above-captioned case is scheduled for December 10, 2021. Counsel
30 for the United States and counsel for the defendant jointly stipulate and request that that status
31 conference be continued to February 3, 2022, and that time be excluded under Federal Rule of Criminal
32 Procedure 5.1(c) and (d), and the Speedy Trial Act from December 10, 2021 to February 3, 2022.

33 The government and counsel for the defendant have agreed that time be excluded under Federal
34 Rule of Criminal Procedure 5.1 and the Speedy Trial Act so that defense counsel can continue to
35 prepare. The government has produced voluminous discovery and defense counsel needs time to review
36 the discovery. For these reasons, the parties stipulate and agree that excluding time until February 3,
37 2022, will allow for the effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv); FRCP

38 STIPULATION TO EXCLUDE TIME
39 AND ORDER (AS MODIFIED)

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1 5.1(c) and (d). The parties further stipulate and agree that the ends of justice served by excluding time
2 from December 10, 2021 to February 3, 2022, from computation under the Speedy Trial Act and Federal
3 Rule of Criminal Procedure 5.1(c) and (d) outweigh the best interests of the public and the defendant in
4 a speedy trial. 18 U.S.C. §§ 3161(h)(7)(A), (B)(iv).

5 The undersigned Assistant United States Attorney certifies that she has obtained approval from
6 counsel for the defendant to file this stipulation, request, and proposed order.

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8 IT IS SO STIPULATED.

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10 DATED: December 9, 2021

/s/ Molly K. Priedeman
MOLLY K. PRIEDEMAN
Assistant United States Attorney

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12 DATED: December 9, 2021

/s/ August Gugelmann
AUGUST GUGELMANN
Attorney for the Defendant

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28 STIPULATION TO EXCLUDE TIME
AND ORDER (AS MODIFIED)

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ORDER (AS MODIFIED)

3 Based upon the representations of counsel and for good cause shown, the Court finds that failing
4 to exclude the time from December 10, 2021 to February 3, 2022, would unreasonably deny defense
5 counsel and the defendant the reasonable time necessary for effective preparation and continuity of
6 counsel, taking into account the exercise of due diligence. 18 U.S.C. §3161(h)(7)(B)(iv). The Court
7 further finds that the ends of justice served by excluding the time from December 10, 2021 to February
8 3, 2022, from computation under the Speedy Trial Act and Federal Rule of Criminal Procedure 5.1(c)
9 and (d) outweighs the best interests of the public and the defendant in a speedy trial. Therefore, and
10 with the consent of the parties, IT IS HEREBY ORDERED that the time from December 10, 2021 to
11 February 3, 2022, shall be excluded from computation under the Speedy Trial Act and Federal Rule of
12 Criminal Procedure 5.1(c) and (d) and the status conference is continued to February 3, 2022 at
13 **10:00 a.m.**

IT IS SO ORDERED AS MODIFIED.

DATED: December 9, 2021

